

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF NAVITAS KY)	
NG, JOHNSON COUNTY GAS COMPANY, AND)	
B & H GAS COMPANY FOR APPROVAL OF)	CASE NO.
ACQUISITION, TRANSFER OF OWNERSHIP,)	2020-00396
AND CONTROL OF NATURAL GAS UTILITY)	
SYSTEMS)	

ORDER

On January 29, 2021, Navitas KY NG, Johnson County Gas Company, and B & H Gas System (collectively, Applicants) filed a motion requesting an extension of time for an additional ten days to submit additional documentation in response to Commission Staff's First Request for Information (Staff's First Request). Pursuant to the procedural schedule issued by the Commission on January 13, 2021, Applicants were to file responses to Staff's First Request by January 29, 2021.

Staff's First Request was issued on January 21, 2021. On January 29, 2021, Applicants filed responses to Staff's First Request, but have claimed in their motion they need a ten-day extension until February 12, 2021, to provide additional documentation responsive to Requests 6(c), 8(b), and 11(a).

As provided in the procedural schedule issued on January 13, 2021, any extension of time in this matter requires a showing of good cause. In their motion, Applicants ask for an extension to file additional documentation due to the eight-day timeframe they were given to file their responses and ask additionally to file part of the documentation confidentially.

The Commission has a 120-day statutory deadline to render a decision in this matter. A party's failure to provide substantial evidence adversely impacts the Commission's statutory duty to render a decision in these matters. As such, any extension must be based upon substantial evidence. While the Commission finds that the Applicants should be granted a ten-day extension to file documentation responsive to Staff's First Request, Staff will also require additional time to issue their supplemental request for information to Applicants and a modification should be made to the procedural schedule to reflect that date, as well as the date for Applicants to supply their responses to supplemental requests. However, given the statutory timeframe in this matter, the remainder of the procedural schedule, including the hearing date, will remain the same. The modified procedural schedule is attached as an Appendix to this Order.

The parties are cautioned that, in light of the March 16–17, 2021 hearing, they should use their best efforts to provide timely responses to data requests and Commission Orders.

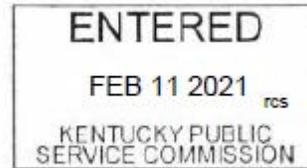
IT IS THEREFORE ORDERED that:

1. Applicants' motion for an extension of time is granted. Applicants shall have until February 12, 2021, to file additional documentation in response to Commission Staff's First Request for Information.
2. The procedural schedule issued on January 13, 2021, is hereby modified and attached as an Appendix hereto, to reflect an additional time for the issuance of Commission Staff's supplemental request for information and Applicants' responses to the supplemental request for information.

3. The hearing in this matter will remain as previously scheduled, to begin on March 16, 2021, at 9 a.m. Eastern Daylight Saving Time, in the Richard Raff Hearing Room of the Commission's offices at 211 Sower Boulevard in Frankfort, Kentucky.

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By the Commission



ATTEST:


Executive Director

APPENDIX

APPENDIX TO AN ORDER OF THE KENTUCKY PUBLIC SERVICE
COMMISSION IN CASE NO. 2020-00396 DATED FEB 11 2021

A person interested in becoming a party to this proceeding shall file a motion to intervene with the Commission pursuant to 807 KAR 5:001, Section 4(11), no later than01/19/2021

All requests for information to Applicants shall be filed no later than01/21/2021

Applicants shall file responses to requests for information no later than01/29/2021

Applicants shall file additional documentation for its responses to Staff's First Request for Information no later than02/12/2021

Supplemental requests for information to Applicants shall be filed no later than.....02/22/2021

Applicants' response to supplemental requests for information shall be filed no later than 03/04/2021

Last day for Applicants to publish notice of hearing To be scheduled

Public Hearing to be held in the Richard Raff Hearing Room at the offices of the Public Service Commission at 211 Sower Boulevard, Frankfort, Kentucky, for the purpose of cross-examination of witnesses of Applicants and Intervenors 03/16/2021–03/17/2021

Simultaneous Briefs, if any To be scheduled

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